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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
89/107,705	06/30/98	ASAMI	T 380153-53

TM02/0226
OPPENHEIMER WOLFF AND DONNELLY
2029 CENTURY PARK EAST
SUITE 3800
LOS ANGELES CA 90067-3024

EXAMINER	
FATEL, N	
ART UNIT	PAPER NUMBER

2673

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DATE MAILED:

02/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/107,705

Applicant(s)

Asami et al.

Examiner

Nitin Patel

Group Art Unit

2673



☒ Responsive to communication(s) filed on Dec 21, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-9 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 9

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2673

Response to Amendment

1. Claims 1-5; and new claims 6-9 remain for further examination.
2. Applicant's arguments with respect to claims 1-5 and new claims 6-9 filed on December 21, 2000(Paper Number 8) have been fully considered but are moot in view of the new ground(s) of rejection.

Drawings

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1,5,6,9 are rejected under 35 U.S.C. 102(b) as being anticipated by Irie et al., (U.S. Patent No.5,304,797).

Art Unit: 2673

As per claims 1,5,6,9 Irie teaches a control apparatus for a gas analyzer system, the gas analyzer system including a plurality of gas analyzers(In Fig.9 elements 46a,46b,46c) each having a gas analyzer unit with a plurality of outputs for analyzing a respective gas, a plurality of AD converters(In fig.9 elements 47a,47b,47c) each having a plurality of inputs respectively connected to the outputs of the gas analyzer unit according to a connection condition, an internal bus connected to an output of each AD converter and a memory unit connected to the internal bus for storing a connection connection condition (In col.12 lines 53-55 and lines 55-67 to Col.13 lines 1-6);

a CPU bus connected to internal bus of each of the gas analyzer (In Fig.9); and

an analyzer processing unit including a CPU(element 50) connected to bus CPU bus .
CPU operating in accordance with a program for controlling each of gas analyzer (In fig.9 elements 46a,46b,46c)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4,7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irie et al., (U.S. Patent No.5,304,797).

Art Unit: 2673

As per claims 2,3,4,7,8 Irie teaches a control apparatus for a gas analyzer system, the gas analyzer system including a plurality of gas analyzers(In Fig.9 elements 46a,46b,46c) each having a gas analyzer unit with a plurality of outputs for analyzing a respective gas, a plurality of AD converters(In fig.9 elements 47a,47b,47c) each having a plurality of inputs respectively connected to the outputs of the gas analyzer unit according to a connection condition, an internal bus connected to an output of each AD converter and a memory unit connected to the internal bus for storing a connection condition table which includes information for the connection condition (In col.12 lines 53-55 and lines 55-67 to Col.13 lines 1-6);

a CPU bus connected to internal bus of each of the gas analyzer (In Fig.9); and

an analyzer processing unit including a CPU(element 50) connected to bus CPU bus .

CPU operating in accordance with a program for controlling each of gas analyzer (In fig.9 elements 46a,46b,46c).

Irie does not specifically teach a condition table with internal connection condition with a program for controlling each of gas analyzer. It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to include well known programmable ROM as a condition table, with internal connection condition with a program for controlling each gas analyzer and to store a program in a program memory such as ROM ,which is well known to store any instruction or a program or steps to performed on a system is well known in the art.

Art Unit: 2673

Conclusion

The prior art made of record and not relied upon considered pertinent to application's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Nitin Patel whose phone number is 703-308-7024. The examiner can normally be reached Monday - Friday 8.30 AM to 5.00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor is Bipin Shalwala at 703-305-4938.

Please fax any document at Fax number 703-305-9724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9618.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington, D.C. 20231

or faxed to :

(703) 308-9051, (for formal communications intended for entry)


Or:

Art Unit: 2673

(703)305-9724, for informal or draft communication, please label ("PROPOSED" or
"DRAFT")

***Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington,
V.A., Sixth Floor (receptionist).***

Nitin Patel
Patent examiner
Art Unit 2673
February 20, 2001



**BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
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